

AN ORDINANCE

97834

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$1,410,043.07 FROM KGME, INC. (MBE) IN CONNECTION WITH THE OCTAVIA #63, PHASE II – PART 1 PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$112,681.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$719.00 FOR ADVERTISING EXPENSES, FOR AN OVERALL TOTAL OF \$1,523,443.57, OF WHICH \$1,240,215.13 WILL BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY AND AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT \$64,772.75 FOR GAS LINE REPLACEMENT AND AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$218,455.69 FOR SEWER AND WATER WORK; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, bids were submitted in connection with the Octavia #63, Phase II – Part 1 Project located in Council District 5; and

WHEREAS, this ordinance accepts the low bid submitted by **KGME, Inc.** in the amount of \$1,410,043.07 for the Octavia #63, Phase II – Part 1 Project, \$112,681.50 for miscellaneous construction contingency expenses, \$719.00 for advertising expenses; and

WHEREAS, said project consists of reconstructing the road to include curbs, sidewalks, driveway approaches, retaining walls and underground storm drainage improvements along Hart and Pleasanton Road; and

WHEREAS, Additive Alternate No. 1 is also accepted to address the area that is located west of Pleasanton on W. Hart Avenue and extends 300 feet from the original project limit; and

WHEREAS, total expended for this project is \$1,523,443.57, of which \$1,240,215.13 will be funded from General Obligations of the City, \$64,772.75 will be reimbursed from City Public Service (CPS) for gas line replacement, and \$218,455.69 will be reimbursed from San Antonio Water System (SAWS) for sewer and water work; and

WHEREAS, approval of this ordinance will be a continuation of City policy to complete previously approved 1999 General Obligation Drainage Bond funded Capital Improvement Projects, **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The low, qualified bid of **KGME, Inc.** in the amount of \$1,410,043.07 in connection with the Octavia #63, Phase II – Part 1 Project is hereby accepted. All other bids will

be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty days from the effective date hereof, whichever occurs first. A copy of the proposal is attached hereto as **Attachment I**.

SECTION 2. The City Manager, an Assistant City Manager, or an Assistant to the City Manager, is hereby authorized to execute a standard form contract covering said project, a copy which is in substantially the same form as **Attachment II** incorporated herein for all purposes.

SECTION 3. The budget in fund 45-962095, 1999 Drainage Improvements, Sold 2001, is revised by decreasing index code 695585, entitled Unallocated Appropriations: Proceeds, by the amount of \$1,104,956.55.

SECTION 4. The amount of \$1,104,956.55 is appropriated in Fund No. 45-962014, 1999 Drainage Improvements, Sold in 2001, in Index Code 938571, entitled "Trf to 45-969014 Octavia Drainage #63 Phase II". The amount of \$1,104,956.55 is authorized to be transferred from 45-962014 to 45-969014.

SECTION 5. The budget in Fund No. 45-969000, 1999 Drainage Improvements, is adjusted by increasing Index Code 114777, entitled "Trf Fr 45-962014 (45-969014) Octavia Drainage #63", by the amount of \$1,104,956.55.

SECTION 6. The budget in Fund No. 43-162095, 2002 Drainage Improvements, shall be revised by reducing Index Code 758201, entitled "Unallocated Appropriations: Proceeds", by the amount of \$135,258.58.

SECTION 7. The amount of \$135,258.58 is appropriated in Fund No. 43-162002, 2002 Drainage Improvements, in Index Code 932533, entitled "Transfer to 45-969014 Octavia Dr #63". The amount of \$135,258.58 is authorized to be transferred from 43-162002 to 45-969014.

SECTION 8. The budget in Fund No. 45-969000, 1999 Drainage Improvements, is adjusted by increasing Index Code 134718, entitled "Trf Fr 43-162002 (45-969014) Octavia Drainage #63", by the amount of \$135,258.58.

SECTION 9. Budgeted Revenues in the amount of \$218,455.69 is authorized to be established in 45-969000, 1999 Drainage Improvements. Revenue Index Code 082172, entitled "Contr SAWS (45-969014) Octavia", shall be increased upon reimbursement of the project.

SECTION 10. Budgeted Revenues in the amount of \$64,772.75 is authorized to be established in 45-969000, 1999 Drainage Improvements. Revenue Index Code 082453, entitled "Contr CPS (45-969014) Octavia", shall be increased upon reimbursement of the project.

SECTION 11. The amount of \$1,410,043.07 is appropriated in Fund No. 45-969014, 1999 Drainage Improvements, in Index Code 772376, entitled "Construction Contract", and is authorized to be encumbered and made payable to **KGME, Inc.**, for construction in connection with the Octavia Drainage Project #63, Phase II, Part I.

SECTION 12. The amount of \$112,681.50 is appropriated in Fund No. 45-969014, 1999 Drainage Improvements, in Index Code 770271, entitled "Construction Contingency", and is

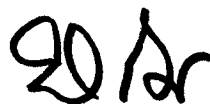
authorized to be encumbered and made payable for construction contingency expenses in connection with the Octavia Drainage Project #63, Phase II, Part I.

SECTION 13. The amount of \$719.00 is appropriated in Fund No. 45-969014, 1999 Drainage Improvements, in Index Code 770446, entitled "Advertising Expenses", and is authorized to be encumbered and made payable for advertising expenses in connection with the Octavia Drainage Project #63, Phase II, Part I.

SECTION 14. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

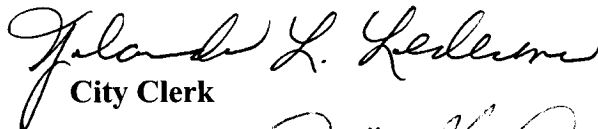
SECTION 15. This ordinance shall take effect on July 6, 2003.

PASSED AND APPROVED this 26th day of June, 2003.

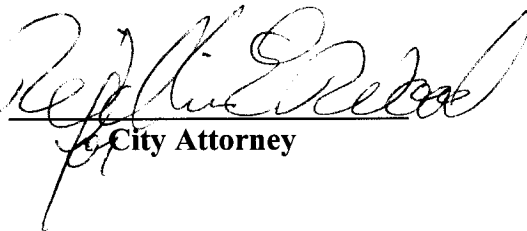


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney